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PATENT
ATTORNEY DOCKET NO. 005127.00356

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: 5894
Dylan S. Van Atta et al.)
Serial No.: 10/814,594) Examiner: TBA
Filed: March 30, 2004) Art Unit: 3765
Title: SWIM CAP WITH MULTIPLE)
DUROMETERS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above-identified application, we are transmitting herewith the attached:

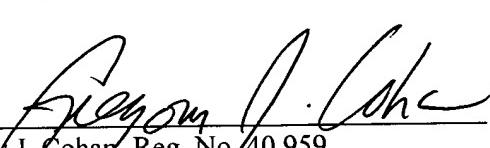
1. Supplemental Information Disclosure Statement;
2. USPTO Form 1449 with one (1) reference; and
4. Return Receipt Postcard.

and hereby certify that this correspondence is being deposited on the date indicated below with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

With respect to additional fees, the Commissioner is hereby authorized to charge any fees or credit overpayment, to our Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: October 18, 2004


Gregory J. Cohan, Reg. No. 40,959
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28 State Street, 28th Floor
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(617) 720-9600



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

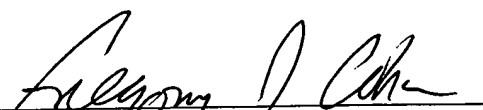
Pursuant to 37 C.F.R. §§ 1.97-1.99, Applicants hereby submit the enclosed PTO Form 1449. A copy of the non-patent publication (1 reference) is enclosed. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. § 1.56.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. § 102 or § 103.

Please apply any charges or credits to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: October 18, 2004



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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.**Copies of references not provided at the time of this submission.